

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

ALBERT VAZQUEZ, on behalf of himself and a class of  
similarly situated individuals,

Plaintiff,

v.

ACORN STAIRLIFTS, INC., DANA MCKINNEY,  
CHARLES SERRA, TIMOTHY SCHNELLER, and  
AGNES LUGO-MANN,

Defendants.

**SUMMONS WITH NOTICE**

INDEX NO.:

DATE INDEX NO.

PURCHASED:

VENUE IS PROPER IN THIS  
COURT PURSUANT TO CPLR  
§ 503

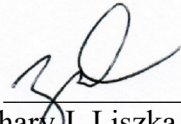
**TO THE PERSONS NAMED AS DEFENDANTS ABOVE:**

**PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED** to appear in this action by serving a notice of appearance upon the undersigned at the address set forth below within 20 days after the service of this Summons (not counting the day of service itself), or within 30 days after service is complete if the summons is not delivered personally to you within the State of New York.

**YOU ARE HEREBY NOTIFIED THAT** should you fail to answer or appear, a judgment will be entered against you by default for the relief demanded below.

Dated: July 21, 2019  
New York, New York

LISZKA AND GRAY, LLC

By:   
Zachary J. Liszka, Esq.  
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*Attorneys for Plaintiff*

Defendants' Addresses:

ACORN STAIRLIFTS, INC.  
7001 LAKE ELLENOR DRIVE  
ORLANDO, FL 32809

DANA MCKINNEY  
2222 N 64<sup>th</sup> STREET  
TAMPA, FL 33619

CHARLES SERRA  
417 GRANT TER  
MAMARONECK, NY 10543

TIMOTHY SCHNELLER  
104 ARROWHEAD LANE  
HAINES CITY, FL 33844

AGNES LUGO-MANN  
3057 ABACO STREET  
ORLANDO, FL 32827

**NOTICE:** Plaintiff alleges that by and through Defendants' acts, omissions, policies, and/or practices, Defendants discriminated against Plaintiff because of disability, retaliated against Plaintiff for engaging in protected activity, interfered with Plaintiff's rights guaranteed by law, failed to reasonably accommodate Plaintiff's disability, and/or aided and abetted their co-Defendants in accomplishing same during Plaintiff's employment with Defendant Acorn Stairlifts, Inc., in violation of the Americans with Disabilities Act 42 U.S.C. §§ 12101 et seq., the Family Medical Leave Act, 29 U.S.C. §§ 2601 et seq., the New York State Human Rights Law, N.Y. Exec. Law §§ 296 et seq., and the New York City Human Rights Law, N.Y.C. Admin. Code §§ 8-101 et seq. In addition, Plaintiff alleges that by and through the acts, omissions, policies, and/or practices of Defendant Acorn Stairlifts, Inc., it violated the New York Labor Law § 195 by failing to provide Plaintiff with a proper wage notice. Plaintiff brings this action on behalf of himself, and on behalf of a putative class of similarly situated individuals.

Plaintiff seeks relief in an amount no less than \$5,000,000.00 for damages related to the foregoing, including back pay, front pay, emotional distress damages, punitive damages, interest, costs, and expenses, as well as reasonable attorneys' fees.

Should Defendants fail to appear herein, judgment will be entered by default for a sum no less than \$5,000,000.00, with interest from the date of August 18, 2016, and the costs of this action.

**VENUE:** Plaintiff designates New York County as the place of trial pursuant to C.P.L.R. § 503.